

FILED
DISTRICT COURT OF GUAM
MAR -9 2006 *7P*
MARY L.M. MORAN
CLERK OF COURT

United States District Court

for

District of Guam

**Report for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearings is Attached)

Name of Offender: **Ikuo Yoshizawa**

Case Number: **CR 94-00133-001**

Name of Sentencing Judicial Officer: Honorable Larry A. Burns

Date of Original Sentence: February 6, 2006

Original Offense: Wire Fraud, in violation of 18 U.S.C. § 1343.

Original Sentence: One year supervised probation with conditions that Mr. Yoshizawa not possess and refrain from unlawful use of a controlled substance, and submit to a drug test within 15 days of placement on probation, and at least two periodic drug tests thereafter, as determined by the court; comply with the standard conditions of that have been adopted by the court; and pay a \$100 special assessment fee.

Type of Supervision: Probation

Date Supervision: February 6, 2006

PETITIONING THE COURT

☐ To extend the term of supervision _____ years, for a total term _____ years.

☒ To modify the conditions of supervision as follows:

1. That the defendant cooperate with the collection of DNA as directed by the probation officer; and
2. That the defendant is authorized to travel to Saipan, Commonwealth of the Northern Mariana Islands, Japan, the Republic of the Philippines and Guam for business purposes with the approval of the U.S. Probation Office.

CAUSE

Mr. Yoshizawa was initially arrested on October 26, 1994 on Guam pursuant to a warrant from the District of the Northern Mariana Islands, where he had resided since 1979. He was subsequently released on personal recognizance, and returned to Saipan, Commonwealth of the Northern Mariana Islands, where he continued to reside. Mr. Yoshizawa did not have a condition for pretrial supervision during the past 11 years, and has traveled extensively between Japan, Republic of the Philippines, Guam, and the Commonwealth of the Northern Mariana Islands, for business and family purposes. He operates the following businesses: an English language school in Japan; the Beef Bowl House restaurant in Guam; a Japanese language school in the Philippines; and three businesses on Saipan. In addition, his ex-wife and three sons reside in the Philippines. Supervision has been transferred to the District of the Northern Mariana Islands.

On May 11, 2005, Ikuo Yoshizawa was sentenced in the District Court of Guam before the Honorable David Q. Carter to an imprisonment term of twenty months followed by a supervised release term of five years for Wire Fraud, in violation of 18 U.S.C. § 1343. On February 6, 2006, in a reduction of sentence, he was resentenced before the Honorable Larry A. Burns to a supervised probation term of one year. The Court did not impose a condition that Mr. Yoshizawa submit to DNA collection despite his being convicted of a felony and as mandated by the Justice for All Act of 2004 (Public Law 108-405).

The modification of Mr. Yoshizawa's probation conditions to include DNA collection and authorization to travel as approved by the U.S. Probation Office will address the statutory requirement and enable Mr. Yoshizawa to continue his self-employment during his one year probation term. Attached is Probation Form 49 with his consent to the modification.

Reviewed by:


FRANK MICHAEL CRUZ

Chief U.S. Probation Officer

Date: MARCH 7, 2006

Respectfully submitted,

by: 
ROSSANNA VILLAGOMEZ-AGUON

U.S. Probation Officer

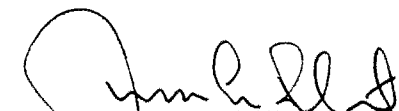
Date: 3/7/06

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above.
☒ The Modification of Conditions as Noted Above.

☐ Other Issuance of a: ☐ Summons ☐ Warrant

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MAR - 8 2006
DISTRICT COURT OF GUAM
HAGATNA, GUAM



Signature of Judicial Officer
March 9, 2006

Date

United States District Court

for

District of Northern Mariana Islands


**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

I, Ikuo Yoshizawa, agree to the following modifications of my probation conditions:

1. That I cooperate with the collection of DNA as directed by the probation officer;
2. That I be granted authorization to travel to Saipan, Commonwealth of the Northern Mariana Islands, Japan, the Republic of the Philippines and Guam for business purposes (restaurants, and English and Japanese language schools) with the approval of the U.S. Probation Office.

Witness: 
for Rossanna Villagomez-Aguon
U.S. Probation Officer


Signed: Ikuo Yoshizawa
Probationer or Supervised Releasee

3/3/06
Date